

#### UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office ASSISTANT SECRETARY AND COMMISSIONER OF PATENTS AND TRADEMARKS Weshington, D.C. 20231

MARCH 13, 2001

PTAS

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH PA PETER C. MAKI

P.O. BOX 2938

MINNEAPOLIS, MN 55402



UNITED STATES PATENT AND TRADEMARK OFFICE NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE OUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE. ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 12/12/2000

REEL/FRAME: 011385/0233 NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

DOTEN, GREGORY P.

DOC DATE: 12/07/2000

ASSTGNOR:

TEDHAM, THOMAS A.

DOC DATE: 12/11/2000

ASSIGNOR:

BROCKWAY, BRIAN P.

DOC DATE: 12/11/2000

ASSIGNEE:

DATA SCIENCES INTERNATIONAL, INC. 4211 LEXINGTON AVENUE NORTH, SUITE 2244

ST. PAUL, MINNESOTA 55126

SERTAL NUMBER: 09735378

PATENT NUMBER:

ISSUE DATE:

Schwegman, Lundberg, FILING DATE: 1999820628 800th PA

MAR 1 9 2001

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011385/0233 PAGE 2

JEEVON JONES, EXAMINER ASSIGNMENT DIVISION OFFICE OF PUBLIC RECORDS FORM PTO-1584 01-10-96:CMG

01-04-2001

'. DEPARTMENT OF COMMERCE Patent and Trademark Office

Atty Ref/Docket No.: 349.047US1

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or copy thereof.

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-				_	_			_

1. Name of conveying party(ics):

2. Name and address of receiving party(ics):

Gregory P. Doten Thomas A. Tedham Brian P. Brockway	Name: Data Sciences International, Inc.			
Additional name(s) of conveying party(ies) attached? [ ]Yes [X]No	Street Address: Suite 2244 4211 Lexington Avenue North			
3. Nature of conveyance:	%ió ≡			
[X] Assignment [] Merger	City: St. Paul State: MN_ZIP: 55126.			
[] Security Agreement [] Change of Name	Additional name(s) & address(es) attached? []Yes [X]No			
[] Other	realisate manage of a desired contract [ ] to [ 1] to [ 1] to			
Execution Date: December 1, 2000; December 11, 2000; December 11, 2000.  09/135	378			
4. Application number(s) or patent number(s):				
If this document is being filed together with a new application, the execution $2000$ .	date of the application is: <u>December 7</u> , 2000: <u>December 11, 2000</u> ; <u>December 11</u> ,			
A. Patent Application No.(s)	B. Patent No.(s)			
Additional numbers attached? []Yes [X]No				
5. Name and address of party to whom correspondence concerning document should be mailed:	6. Total number of applications and patents involved: 1			
Name: Peter C. Maki	7. Total fee (37 CFR 3.41):S_40.00			
Address: Schwegman, Lundberg, Woessner & Kluth, P.A. P.O. Box 2938 Minneapolis, MN 55402	[ ] Enclosed [X] Authorized to be charged to deposit account			
	Please charge any additional fees or credit any overpayments to our Deposit account number:19-0743_			
DO NOT US	SE THIS SPACE			
Statement and signature.				
To the best of my knowledge and belief, the foregoing information is true and	d correct and any attached copy is a true copy of the original document.			
True C. Many Res. (No. 120/12	Meli 12/12/2000			
Name of Person Signing Signature	Date Total number of pages including cover sheet: 4.			
ОМВ No. 0651-0011 (exp. 4/94)				
04/2001 HTHAI1 00000013 190743 09735378 Do not det:	ach this portion			
FCASA documents to the Allo Allo with required cover sheet information to:				
Commissioner of Patents and Trademarks  Box Assignments  Mashington, D.C. 20231				

Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, of fiftie of information systems, PK2-1000C, Washington, D.C. 20231, and to the Office of Management and Budget, Paperwork Reduction Project (0651-0011), Washington, D.C. 2003.

#### ASSIGNMENT

WHEREAS, WE, <u>Gregory P. Doten</u>, residing at 2941 Georgia Avenue North, <u>Crystal</u>, MN 55427, and Thomas A. Tedham, residing at 17051 Hanover Lane, <u>Eden Prairie</u>, MN 55347, and Brian P. Brockway, residing at 4339 Nancy Place, <u>Shoreview</u>, MN 55126, made certain new and useful inventions and improvements for which We executed an application for Letters Patent of the United States on Even Date Herewith, which is entitled <u>ADJUSTABLE FLOW PROBE</u>.

AND WHEREAS, <u>Data Sciences International</u>, <u>Inc.</u>, a corporation organized and existing under and by virtue of the laws of the State of <u>Minnesota</u>, and having an office and place of business at <u>Suite 2244</u>, <u>4211 Lexington Avenue North</u>, <u>St. Paul</u>, <u>MN</u> <u>55126</u>, (hereinafter "Assignee") is desirous of acquiring the entire right, title and interest in and to said inventions, improvements and application and in and to the Letters Patent to be obtained therefore;

NOW, THEREFORE, to all whom it may concern, be it known that for good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, we have sold, assigned, and transferred, and by these presents do sell, assign and transfer unto said Assignee, its successors or assigns, the entire right, title and interest for all countries in and to all inventions and improvements disclosed in the aforesaid application, and in and to the said application, all divisions, continuations, continuations-in-part, or renewals thereof, all Letters Patent which may be granted therefrom, and all reissues or extensions of such patents, and in and to any and all applications which have been or shall be filed in any foreign countries for Letters Patent on the said inventions and improvements, including an assignment of all rights under the provisions of the International Convention, and all Letters Patent of foreign countries which may be granted therefrom; and we do hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all United States Letters Patent for the aforesaid inventions and improvements to the said Assignee as the assignee of the entire right, title and interest in and to the same, for the use of the said Assignee, its successors and assigns.

AND, for the consideration aforesaid, we do hereby agree that we and our executors and legal representatives will make, execute and deliver any and all other instruments in writing including any and all further application papers, affidavits, assignments and other documents, and will communicate to said Assignee, its successors and representatives all facts known to us relating to said improvements and the history thereof and will testify in all legal proceedings and generally do all things which may be necessary or desirable more effectually to secure to and vest in said Assignee, its successors or assigns the entire right, title and interest in and to the said improvements, inventions, applications, Letters Patent, rights, titles, benefits, privileges and advantages hereby sold, assigned and conveyed, or intended so to be.

Docket No.: 349.047US1 Serial No.: Not Assigned Filing Date: Even Date Herewith Page 2 of 3

AND, furthermore we covenant and agree with said Assignee, its successors and assigns, that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by me/us and that full right to convey the same as herein expressed is possessed by us.

IN TESTIMONY WHEREOF, I have hereunto set by hand this 7th day of December, 2000.

The day of December, 2000.

On this 146 day of December, 2000 before me personally appeared Gregory P. Doten. to me known and known to me to be the person described in and who executed the foregoing instrument, and he/she duly acknowledged to me that he/she executed the same for the uses and purposes therein set forth.

[SEAL]

Notary Public



Docket No.: 349.047US1 Serial No.: Not Assigned Filing Date: Even Date Herewith Page 3 of 3

	~-				
	mas A. Tedham				
STATE OF MN )					
COUNTY OF AKOTA)					
On this Man day of December, 2000 t	pefore me personally appeared Thomas A. Tedham				
to me known and known to me to be the pers	on described in and who executed the foregoing				
instrument, and he/she duly acknowledged to n	e that he/she executed the same for the uses and				
purposes therein set forth.  SUEANN R. SHALKOSKI NOTARY PUBLIC: MINHESOTA My Comm. Expires Jan. 31, 2005  Nota	wednn R. Shalhoflii vy Public				
IN TESTIMONY WHEREOF, I have hereunto set my hand this // day of secentle, 2000.					
STATE OF MN )ss. COUNTY OF Barrsen )	n P. Brockway				
On this 11th day of December, 2000 be	fore me personally appeared Brian P. Brockway to				
me known and known to me to be the person descri	ibed in and who executed the foregoing instrument,				
and he/she duly acknowledged to me that he/she	executed the same for the uses and purposes therein				
set forth.					
[SEAL] Note	ant Ferry				
JANET FENNER MOTARY POBLIC JUNES 171 - 2005 MY COMMISSION EDITIES 171 - 2005					

IN TESTIMONY WHEREOF, I have hereunto set my hand this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_; 2000.



Chief Financial Officer and Chief Administrative Officer Washington, DC 20231

www.uspto.gov

OCTOBER 27, 2003

PTAS

SCHWEGMAN, LUNDBERG, WOESSNER, ET AL

TIMOTHY E. BIANCHI P.O. BOX 2938

MINNEAPOLIS, MN 55402

UNITED STATES PATENT AND TRADEMARK OFFICE NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

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RECORDATION DATE: 05/19/2003

BEEL/FRAME: 014074/0264

NUMBER OF PAGES: 5

BRIEF: MERGER AND CHANGE OF NAME

ASSIGNOR:

DATA SCIENCES INTERNATIONAL, INC.

DOC DATE: 04/22/2003

ASSIGNEE:

TRANSOMA MEDICAL, INC.

4358 WEST ROUND LAKE ROAD ARDEN HILLS, MINNESOTA 55112

SERIAL NUMBER: 09924739

PATENT NUMBER: 6626838

SERIAL NUMBER: 09962727

PATENT NUMBER:

SERIAL NUMBER: 09997850

PATENT NUMBER:

SERIAL NUMBER: 10041823

PATENT NUMBER: 6626839

FILING DATE: 08/08/2001 ISSUE DATE: 09/30/2003

FILING DATE: 09/25/2001 ISSUE DATE:

FILING DATE: 11/29/2001

ISSUE DATE:

FILING DATE: 10/29/2001

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Woessner & Kluth, PA OCT 3 1 2003

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#### 014074/0264 PAGE 2

		09478762 6595071	FILING DATE: 01/06/2000 ISSUE DATE: 07/22/2003
PATENT	NUMBER:	09735378	FILING DATE: 12/12/2000 ISSUE DATE:
		09968644	FILING DATE: 10/01/2001 ISSUE DATE:
SERIAL PATENT	NUMBER:	09825130	FILING DATE: 04/03/2001 ISSUE DATE:
SERIAL PATENT	NUMBER: NUMBER:	10420388	ISSUE DATE: FILING DATE: 04/22/2003 ISSUE DATE:
SERIAL PATENT	NUMBER: NUMBER:	08819888 6299582	FILING DATE: 03/18/1997 ISSUE DATE: 10/09/2001 FILING DATE: 10/26/1998 ISSUE DATE: 05/16/2000 FILING DATE: 05/11/1999 ISSUE DATE: 11/27/2001 FILING DATE: 03/31/1998 ISSUE DATE: 02/26/2002
SERIAL PATENT	NUMBER: NUMBER:	09179042 6063034	FILING DATE: 10/26/1998 ISSUE DATE: 05/16/2000
SERIAL PATENT	NUMBER: NUMBER:	09329869 6323256	FILING DATE: 06/11/1999 ISSUE DATE: 11/27/2001
SERIAL PATENT	NUMBER: NUMBER:	09052509 6350242	FILING DATE: 03/31/1998 ISSUE DATE: 02/26/2002
SERIAL	·NUMBER:	09478486 6539316	FILING DATE: 01/06/2000 ISSUE DATE: 03/25/2003
	NUMBER: NUMBER:	07074930 4784155	FILING DATE: 07/17/1987 ISSUE DATE: 11/15/1988
	NUMBER: NUMBER:	09927588 6506161	FILING DATE: 01/06/2000 ISSUE DATE: 03/25/2003 FILING DATE: 07/17/1987 ISSUE DATE: 11/15/1988 FILING DATE: 08/10/2001 ISSUE DATE: 01/14/2003
SERIAL PATENT	NUMBER: NUMBER:	09452332 6544180	FILING DATE: 11/30/1999 ISSUE DATE: 04/08/2003
SERIAL PATENT	NUMBER: NUMBER:	08950315 6033366	FILING DATE: 10/14/1997 ISSUE DATE: 03/07/2000
	NUMBER:		
	NUMBER: NUMBER:	09479268 6435037	FILING DATE: 01/06/2000 ISSUE DATE: 08/20/2002
	NUMBER: NUMBER:	07199697 4846191	FILING DATE: 05/27/1988 ISSUE DATE: 07/11/1989
	NUMBER: NUMBER:	08744360 5865749	FILING DATE: 11/07/1996 ISSUE DATE: 02/02/1999

014074/0264 PAGE 3

SERIAL NUMBER: 08746421 PATENT NUMBER: 5980463

SERIAL NUMBER: 09491233 PATENT NUMBER: 6379308

SERIAL NUMBER: 09264147 PATENT NUMBER: 6296615

SERIAL NUMBER: 07069728 PATENT NUMBER: 4796641 FILING DATE: 11/08/1996 ISSUE DATE: 11/09/1999

FILING DATE: 01/25/2000 ISSUE DATE: 04/30/2002

FILING DATE: 03/05/1999 ISSUE DATE: 10/02/2001

FILING DATE: 07/06/1987 ISSUE DATE: 01/10/1989

SHARON LATIMER, EXAMINER ASSIGNMENT DIVISION OFFICE OF PUBLIC RECORDS

Patent and Trademark Office

Atty Ref/Docket No.: 349,000001
To the Honorable Commissioner of Pate 1. Name of conveying party(ies):

OLD NAME

Data Sciences International, Inc.

NEW NAME

102453210 Lached original documents or copy thereof.

Name and address of receiving party(ies):

Name: Transoma Medical Inc.

PT

Street Address: 4358 West Round Lake Road

City: Arden Hills State: MN Zip: 55112

Nature of conveyance:

[ ] Assignment X Merger

[1] Security Agreement [X] Change of Name

[] Other

Execution Date: April 22, 2003

Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

Scrial No. 09/924,739, filed August 8, 2001 Serial No. 09/924,739, filed September 25, 2001 Serial No. 09/978,850, filed November 29, 2001 Serial No. 10/041,823, filed Outober 29, 2001 Serial No. 09/478,762, filed January 6, 2000 Serial No. 09735,378, filed December 12, 2000 Serial No. 09/986,644, filed October 1, 2001 Serial No. 09/825,130, filed April 3, 2001 Serial No. 10/420,388, filed April 22, 2003

B. Patent No.(s)

6,299,582; 6,506,161; 5,865,749 6,063,034; 6,544,180; 5,980,463 6,323,256; 6,033,366; 6,379,308 6,320,245; 6,033,366; 6,379,308 6,350,242; 9415,053; 6296,615 6,539,316; 6,435,037; 4,796,647 4,784,155; 4,846,197; MARCE SECT

Additional numbers attached? [ ]Yes [X]No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Timothy E.Bianchi

Address: Schwegman, Lundberg, Woessner & Kluth,

P.O. Box 2938 Minneapolis, MN 55402

1000,00 CK

5/20/2003 TBIAZ1 00000084 190743

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Total fee (37 CFR 3.41):\$ 40.00

[X]Enclosed [ ] Authorized to be charged to deposit account

8. Please charge any additional fees or credit any

6. Total number of applications and patents involved:

overpayments to our

Deposit account number: 19-0743.

Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Timothy E. Bianchi/Reg. No. 39,610 Name of Person Signing

Signature

(Date Total number of pages including cover sheet:

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents and Trademarks Mail Stop Assignment Recordation Services P.O.Box 1450 Alexandria, VA 22313-1450

## State of Minnesota

### **SECRETARY OF STATE**

#### CERTIFICATE OF MERGER

I, Mary Kiffineyer, Secretary of State of Minnesota, keeper of the Great Seal of the State and custodian of the documents pertaining to businesses governed by the laws of this State, do hereby certify that: the entities listed below have merged under the provisions of Minnesota law and have designated the surviving entity listed below. I further certify that the merger documents indicate the name change shown below and were filed on and are effective on the dates listed below. I further certify that the ability of the non-surviving participating entities to do business ceased as of the effective date of the merger.

#### PARTICIPATING ENTITIES:

TRANSOMA MEDICAL, INC.
DATA SCIENCES INTERNATIONAL, INC.

SURVIVING ENTITY: DATA SCIENCES INTERNATIONAL, INC.

FILING DATE: 4/23/2003

NAME CHANGE: TRANSOMA MEDICAL, INC.

EFFECTIVE DATE: 4/23/2003

This certificate has been issued on: 4/23/2003



Mary Kiffmeyer Secretary of State.

DORSEY & WHITNEY LLP

DC, H, 860

6123482868 651 481 7415

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# ARTICLES OF MERGER OF TRANSOMA MEDICAL, INC. INTO DATA SCIENCES INTERNATIONAL, INC.

#### The undersigned certifies as follows:

- The Plan of Merger providing for the merger with and into Data Sciences International, Inc., a Minnesota corporation ("Parent"), of its wholly owned subsidiary, Transoma Medical, Inc., a Minnesota corporation ("Subsidiary) is attached as Richibit A.
- The number of ounstanding aboves of each class and series of stock of Subsidiary is 10 shares of common stock, \$.01 per value, all of which are owned by Perent.
- The Flan of Merger has been approved by Parent under Section 302A.621 of the Minnesota Business Corporation Act.

IN WITNESS WHEREOF, the undersigned, being duly authorized on behalf of Data Sciences International, Inc., has executed this document this 22-day of April, 2003.

DATA SCIENCES INTERNATIONAL, INC.

Name: Brian P. Brockway Title: President and CEO

EXHIBIT A

#### PLAN OF MERGER OK TRANSOMA MEDICAL, INC. INTO

#### DATA SCIENCES INTERNATIONAL, INC.

- 1. The name of the subsidiary corporation is Transoma Medical, Inc.
- The name of the parent corporation is Data Sciences International, Inc. 2.
- 3. The parent corporation shall be the surviving corporation.
- Upon the Effective Date of the merger (as defined below), the name of the parent corporation shall be changed to Transoma Medical, Inc.
- The merger shall be effective when articles of merger with respect to the merger are filed with the Minnesota Secretary of State (the "Effective Date").
- Upon the Effective Date, all outstanding shares of each class and series of stock of the subsidiary corporation shall be canceled, and no shares of the surviving corporation shall be issued in lieu thereof.

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## DEPARTMENT OF STATE

I hereby certify that this is a true and complete copy of the document as filed for record in this office.

Mary Kiffmany of State